

CAH

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED
AUG 1 2008
Aug 4 2008
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

UNITED STATES OF AMERICA

Plaintiff,

vs.

Case No: 08 CR 411

ABDERRAHMANE KHELLIL

Defendant

**DEFENDANT'S MOTION FOR A CONTINUANCE
IN WHICH TO FILE PRETRIAL MOTIONS**

NOW COMES DEFENDANT, above-named, by his attorney, Mary L. Sfasciotti, and moves this court for an order rescheduling the date for the filing of Defendant's pretrial motions, now scheduled for August 1, 2008. In support of this motion, Defendant attaches the affidavit of counsel, and further states:

(1). This court, on June 11, 2008, entered an order requiring Defendant to file his pretrial motions on or before August 1, 2008.

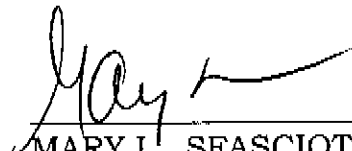
(2). This request for an extension of time in which to file Defendant's pretrial motions is due to the fact that counsel for the Defendant, since June 11, 2008 to the present time, has been engaged in multiple hearings before the Immigration Court which have consumed days of preparation. She was also required to file a Petitioner's brief in the Seventh Circuit on July 25, 2008, which of necessity required counsel to request a continuance due to multiple appearances in immigration court regarding cases of a complex nature.

(3). On July 15, 2008, Defendant's counsel sent a letter request for

additional documents to Maggie Hickey, the Assistant U.S. Attorney in charge of the case. To date, Defendant's counsel has not received written confirmation as to whether any or all of the requested items can be tendered to the defense. Despite several attempted phone calls by counsel and by Ms. Hickey, no actual discussion has ensued as to whether the government has any further information that is discoverable.

WHEREFORE, additional time is requested to enable Defendant's counsel to prepare the appropriate pretrial motions.

Respectfully submitted,



MARY L. SFASCIOTTI
Attorney for Defendant

LAW OFFICES OF MARY L. SFASCIOTTI, P.C.
Suite 1215, 79 West Monroe
Chicago, IL 60603
Phone: 312 726-3278
Fax: 312 726-1325

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

Plaintiff,

vs.

Case No: 08 CR 411

ABDERRAHMANE KHELLIL

Defendant

STATE OF ILLINOIS)

COUNTY OF COOK)

STATE OF ILLINOIS)

COUNTY OF COOK)

)SS

FILED
J.N
AUG X 1 2008
MICHAEL W. [unclear]
CLERK, U.S. DISTRICT COURT


Mary L. Sfasciotti, being duly sworn, under oath deposes and states as follows:

1. That she is the attorney for the Defendant in the above captioned case and an attorney in good standing before this court.
2. That this affidavit is given in support of Defendant's request for an extension of time in which to file pretrial motions, now scheduled for August 1, 2008.
3. That counsel states good cause why the deadline for filing motions should be extended for an additional 30 days.
4. On July 15, 2008, counsel for the defendant sent correspondence to AUSA Margaret A. Hickey, itemizing additional discovery that she requested

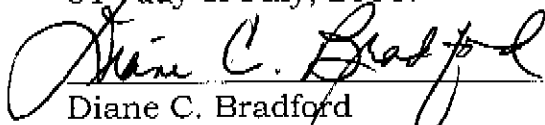
following the government's disclosure of evidence pertaining to this case. That phone calls were placed between AUSA Margaret A. Hickey and counsel for the Defendant over the last two weeks, but through no fault of either, the attorneys have not been able to confer as to what other items listed in counsel's letter were available for disclosure.

5. That on June 30, July 8, July 23, and July 31, 2008, your affiant was involved in extensive hearings before the immigration court, that required long hours and days of pre-hearing preparation. Defendant's counsel spent substantial time in preparation for the hearing held on July 31, 2008, which consumed most of the week and therefore counsel was unable to discuss further discovery with Assistant U.S. Attorney Maggie Hickey nor has she been able to finish the pretrial motions in this case.

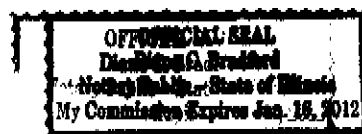
6. That on August 1, 2008, counsel will be out of the office for medical reasons due to doctors' appointments which have been scheduled several weeks ago. She cannot complete and file the motions by August 1, 2008.


MARY L. SFASCIOTTI

Subscribed and sworn to before me this
31st day of July, 2008.



Diane C. Bradford
Notary Public-State of Illinois
My commission expires on Jan. 16, 2012



IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

Plaintiff,

vs.

Case No: 08 CR 411

ABDERRAHMANE KHELLIL

Defendant

CERTIFICATE OF PERSONAL SERVICE


The undersigned, states that on August 1, 2008 at 10:30 a.m. she served a copy of the documents attached hereto and described below, upon the person or persons at the addresses listed below:

DOCUMENTS SERVED:

Notice of Motion and Motion of Defendant to Extend
Time for filing Pretrial Motions and Affidavit of
Defendant's Counsel

**NAME AND ADDRESS OF
PERSON (S) SERVED:**

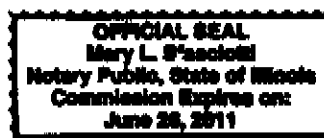
Margaret A. Hickey, AUSA
Office of the United States Attorney
Fifth Floor, 219 S. Dearborn
Chicago, IL 60603


Diane C. Bradford
Legal Assistant

Subscribed and sworn to before me
this 31st day of July, 2008


NOTARY PUBLIC

My Commission expires on:



LAW OFFICES OF MARY L. SFASCIOTTI, P.C.
Suite 1215, 79 West Monroe
Chicago, IL 60603
Phone: (312) 726-3278
FAX: (312) 726-1325